App. F. IX-4

Previous References.

1941-42 (S-A)

File No. 144-41

Serial Nos. 5, 10, 11, 15.

Later References.
SRA 170-42 (1-2)
SRA 75-44 (1-2)

PRESERVED

GENERAL AND REVENUE SECRETARIAT.

Pleasure

Serial Nos. Four.

Part B for April 42

SUBJECT.

Pay and period of Service to be taken into account in the Calculation of Compassionate Gratuity in the Case of officers coming under Articles 262 and 272—

H. 6480 & 27-4-42

TV

Comptroller to Government thales that Government do not Consider it necessary to lay down any general rules on the points raised and each Case has to be dealt with on its merits and as regards the particular Case he furnish a Certificate as requested by the Director of Public Ins leaving him to approach Government with any recommen he deems fit.

Ksubba rao
1/6/42

2119 (1)

General and Revenue Secretariat S&A. File No. 1464 of 1941. [App. F. III—2

Serial No. 5)

From Comptr no 2755 Pen dt. 24-11-41

Requests orders as to the Counting of the period of service added to the actual service under Govt & Minors of the Judl & Edul depts referred to in Article 262 MSR. for Comp gratuity purposes.

The Cases referred to are 1) Minors of the Judl Deptt who are directly recruited from the Bar & 2) of the Educational Deptt who are transferred from aided insths or belong to insths coming over under Govt Contrl. In such cases the Officers are generally overaged & a service of 5 or 3 years is under Article 262 MSR to be added on to their service under Govt.

Under Article 272 a period of 12 months also condoned by Govt

3) The Comptroller requests orders as counting the periods under the above provisions for purposes of Comp. gratuity Such periods count for pension.

4) As the Concession of Counting the periods for Comp gratuity is permitted the question of pay that has to be taken in calculation has to be decided. 3/4th months

NOTE—Contn. Sheet.

WD 04155—GPB—55,000—23-10-41

215
DC.

File No. S & N 144-41 of 194. | General and Revenue Secretariat.

Serial No. 2 C & G.

pay for each year counts for Comp gratuity. While in the case of those the Edl Deptt the pay of the service during period could be ascertained, that in the case of the Jud Deptt cannot be fixed as the officer (from the Bar) will have drawn no pay ~~under for service~~ prior to joining service under Govt. Submitted for orders.

Asst Sec (J.) for Joint Secy.
7/1/42

22/12

The points raised by the Comptroller are whether the benefits of additions to service allowed in the following cases may be taken into acco for purposes of calculating Comp. Gratuity:—

(1) Additions up to 5 yrs allowed in the case of Jud. offrs, & certain offrs of the Edn Deptt. under Art. 262

(2) Deficiency in service up to one year allowable under Art 272.

Another point is raised is—

(3) The pay that should be taken into account for calculation of C.G. in respect period (1). (as no pay is actually drawn on 18 July during the period)

From the provisions of Art 262 it is seen that a Jud officer gets the benefit of this additional service

Serial No.

only if he has put in not less than 10 years of actual qualifying service.

Some of the Educational aided School teachers are allowed benefit of 1/4 of their service (in cases where the institns are converted to Govt. institutions) subject to a maximum of 3 yrs.

The underlying principle of these additions would seem to be that Govt. get the benefit of the experience gained by the offrs in his previous vocation as an Advocate or aided School teacher. C.G. is intended as a sort of equivalent to the pension benefit that would have been due to the employee had he lived to enjoy it. Having in view the benevolent intention of Govt in introducing the C.G. Scheme, it would seem appropriate that the benefit of these additions of service should also be allowed to the family of a deceased employee. So far as Jud offrs is concerned, the question of addition of service would arise only if he has actually served for 10 years & when this condition is satisfied C.G. may be allowed on the addtnl period allowed also. In the

NOTE—Contn. Sheet.

WD 04155—GPB—55,000—23-10-41

Point (1)

Serial No.

Case of an educational employee however, no condition is imposed re: length of actual service to be put in by the official under Govt. ~~under the C.G.~~ Under the C.G. rules ~~for C.G.~~ a qualifying service of 5 yrs & above should have been put in. Whether the addition allowed to a teacher under Art 262 & may be taken into account for calculating this 5 yrs, or whether an actual service of 5 yrs under Govt (exclusive of the addition under Art 262) should be insisted on is for ~~orders~~. Consideration. Point 2.

In cases where C.G. is ~~already~~ admitted, the additions under this article may also be allowed to be taken into calculation.

In all these cases, the pay at the time of entry into Govt. service may perhaps be taken as the basis for calculation for ~~the~~ each years of the additional service. Point (3).

The deficiency ~~condonable~~ Condoned under Art 272 (up to one year) may be also allowed to count for C.G. Point (4)

Comptr gratuity – Officers referred to in articles 262 & 192 Regs. I

21/9/42

5

General and Revenue Secretariat — File No. 144 of 194/. — [App. F. III-2

Serial No.

13) (No information is given as whether no such cases arose at all ~~in~~ in the ~~past~~ past, and if there were such cases how they were dealt with)

A

GPA 16/1/42

14) Information re A may be called for from Comptr & further whether any such case has now arisen must be stated.

DFS 18/1/42

15 Draft enquiry is sent.

A 21/1 Pa 21.1

done JNJ 23/1

16) To Comptr - no 4720 A. 21/1/42 — Marine engineers on mercantile lines.

Govt A 21/1/42 Pa 17.2

17) From Comptr. No 492 Pen 1. 12-3-42 — re Case of late Mr. Venkatramana Setty & the Ld Dept & Mst of late Krishnaji Rao a School teacher

15) The Case of Mr. Venkatramana Setty does not come under Article 262 since his whole service was under Govt. The Contribution in his case under

NOTE—Cont. Sheet.

WD 04155—GPB—55,000—23-10-41

Service & pay of Officers under Articles 262 & 272 Mesn for Comptroller -

File No. S & D. 141 of 194 /. General and Revenue Secretariat

Serial No.

Article 272 could not be made applicable to Comptroller, as having been drawn on 1st July amounted to only 19 years. H. R.

The other case - one that has now arisen - also relates to condonation under Article 272. From the O.P.I's letter (with enclosures) to the Comptroller it is seen that the qualifying service in this case is less than 5 years. The deceased was not evidently a transferred hand eligible under Article 262. H. R.

The Comptroller does not state if any case was dealt with relating to Transferred Officers coming under Article 262 Mesn. Should with reference to para 14.

14/3. 14/3

Has the one specific case referred to by the Comptroller, been certified on his own responsibility the C.G amount due for the actual Service put in, omitting the period of deficiency condoned. The point now raised was not raised then, nor a decision asked for

Reference is invited to My note d. 16.1.42

PG 16/3

D.F.Se.

In view of the principles enunciated at A in para 9 of the effect that Comp. Branch

Cg in re cases coming under Rules 262 & 272 MSR.

3661

Serial No.

is intended as equivalent to pension benefit, all the additions and concessions allowed to pension cases should, I think, be taken into calculation in regard to C.G cases also.

Hl Sy) 23/3/42

2) In this particular case it may be allowed. We need not lay down any general rules. Draft my be put up.

A.S.D) 9.4.42

Draft reply is subt.

C 11/4.

By 11.4.

4) Please see query on draft.

CPA 11/4

Sub -

3) The case referred to is contained in the copy of Comptr's letter dt. 15/12/41 to the OPD. It relates to the condonation of deficiency of 2 yrs & 10 days to make up the qualifying service (of the deceased teacher) of 5 yrs to enable the family to get the benefit of CG.

Hl R & incl.

C 11/4

4) It is not known what other concessions may be necessary in this case. This is a general direction to allow ~~other~~ in this particular case all the additions & concessions shown to pensioners or in pension cases.

By 11.4

NOTE—Cont. Sheet.

WD 04155—GPB—55,000—23-10-41

File No. of 194 . | General and Revenue Secretariat

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17) Refee: Fin. Secy's minute d. 9.4.42, para 22 supra

22) There is no particular case that has been specifically referred to Govt. for orders. The D.P.I. has addressed the Comptroller with reference to the case of a deceased teacher who has put in a service of 4 yrs. 9 m. 20 days, and requested the Comptroller to merely certify the actual extent of qualifying service put in by the Official, so as to enable him (the D.P.I.) to approach Govt. with a recomn to condone under Art 272, H.S.R the deficiency needed to make up 5 years of service which would render the family eligible to C.G.

23) The Comptroller has made an independant reference to Govt. raising general issues, with reference to the additions to service contemplated under several articles of the M.S.R. and their consequential implications in matters to C.G.

24) If approved, the Comptroller may as suggested be informed that Govt. do not consider it necessary to lay down general rules on the points raised, and that ~~with reference to the particular~~

A

Serial No.

each case may be dealt it on individual merits and that with reference to the particular case about which the D.P.I. has addressed the Comptroller, the latter may verify the service and leave it to the D.P.I. to make any recommendation to Govt. that he may wish to.

17/4/42

31) A meeting be done. P.P. 4/3/41 & submit Coffee by 23/4

Draft letter to Compt is subd.
24/4
24-4

24/4

25/4/42

To,

The Comptr. No. 6480 G. 27/4/42

States that Govt. do not consider it necessary to lay down any general rules on the points raised & that each case has to be dealt with on its merits; & as in the particular case, he may furnish a Certificate as requested by the D.P.I., leaving him to approach Govt. with any recommendation he deems fit.

NOTE—Cont. Sheet

29-4

WD 04155—GPB—55,000—23-10-41

OFFICE OF THE COMPTROLLER TO THE GOVERNMENT
OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

No 275/Pen.

Bangalore, dated 21st November *1941.*

(24th)

From

M. VIRARAJA URS, Esq., B.A., B.L.,
Comptroller to the Government of
His Highness the Maharaja of Mysore,
BANGALORE.

To

Rajasevaprasakta,
A.N.Raghavachar Esq., M.A.,
Financial Secretary to Government,
Bangalore.

FINANCIAL BRANCH 2119

SM 144 – 41 – 5

Sir,

I have the honour to state that under Para 2 of Appendix Q, M.S.R. Compassionate Gratuity is to be calculated at the rate of 3/4th month's pay for each year of approved service based on the pay as on 1st July of each year. In the case of certain Judicial officers and the officers of the Education Department referred to in Art.262 M.S.R. Government have sanctioned the concession of adding some period (upto 5 years) as service qualifying for pension. Under Art.272 M.S.R. deficiencies in service are also condoned by Government to enable certain officers to draw a higher rate of pension. As the rules now stand it is not clear whether the periods of addition under the above two concessions are to be taken into account in the calculation of Compassionate Gratuity also. I request orders of Government in the matter.

If it is ordered by Government that the concessions should appl to Compassionate Gratuity also, another point on which orders are necessary is about the pay that should be taken for calculating the Compassionate Gratuity in respect of the cases coming under Art.262 M.S.R. and I request orders of Government on this point also.

I have the honour to be,
Sir,
Your most obedient servant,

Deputy Comptroller
For Comptroller

21/11/41

2/1

Appendix F G—1]

SUBJECT Pay & period of service to be taken into account in the calculation of Casual gratuity in the case of officers coming under Articles 262 & 272 of the M.S.R.

Section S & A.

File No. 144-41

Serial No. 10

Diary No. of letter replied to.....

No. Fl 4720

To

The Comptroller & Gen-

Sir,

General and Revenue Secretariat

( )

the 19 .

Date of issue 27. 1. 42

Signed by for C.G.R

with reference to your letter No. 2757/Gen of 24-11-41 on the above subject, I am directed to enquire if no cases of the kind arose in the past & if there were any, how they were dealt with. Whether any such case has now arisen may also be stated.

I have etc

for Secretary

& Comptroller Gen-

List of enclosures.....

Copied by .....

Examined by .....

Early orders of Government are solicited in the matter.

I have the honour to be,
Sir,
Your most obedient servant,

Craigmallan
11/3/42
For Comptroller.

AVR:

11/3

OFFICE OF THE COMPTROLLER TO THE GOVERNMENT
OF HIS HIGHNESS THE MAHARAJA OF MYSORE

No 492/Pen.
Enc: 3

Bangalore, dated 12th March 194 2

From

M. VIRARAJA URS, Esq., B.A., B.L.,
Comptroller to the Government of
His Highness the Maharaja of Mysore.
BANGALORE.

To

SIA 144-41-11

Rajasevaprasakta
A.N.Raghavachar, Esq., M.A.,
Financial Secretary to Government,
BANGALORE.

3564
13-3-42

Sir,

With reference to your letter No.Fl.4720/S&A.144-41 dated 27th January '42, enquiring if no cases of the kind referred to in my letter No.275/Pen.24th November '41, arose in the past and if they did, how they were dealt with, I have the honour to forward herewith for kind reference and return the file of papers connected with the grant of compassionate gratuity to the family of late Mr.B.Venkataramana Chetty, Manager, Director of Public Instruction's Office, and to state that in this case, Government had condoned a deficiency of 15 days to make up a qualifying service of 20 years for purposes of calculating the pension admissible to him, but while calculating the compassionate gratuity amount after his death, only the actual qualifying service was taken into account leaving out the fraction of a year and the gratuity admissible for 19 years of service was sanctioned in G.O.No.Fl.52-54/S&A.662-39-2 dated 4-7-1940.

As regards the point, whether any such case has now arisen, copy of letter No.A2.C.G.1772-23 of 41-42 dated 29-10-'41 from the Director of Public Instruction in Mysore and copy of this office reply No.335/Pen.dated 15-12-'41 relating to the question of condonation of deficiency in cases in which the the service is less than five years are enclosed for kind reference.

P.T.O.

Copy

OFFICE OF THE COMPTROLLER TO THE GOVERNMENT
OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

No 335/Pen. Bangalore, dated 15-12-1941 March 1942.

From

M. VIRARAJA URS, Esq., B.A., B.L.,
Comptroller to the Government of
His Highness the Maharaja of Mysore,
BANGALORE.

To

The Director of Public Instruction,

B a n g a l o r e.

Sir,

With reference to your letter No.A2.C.G.1772-23 of 41-42 dated 29-10-1941 forwarding the compassionate gratuity papers of late K. Krishnaji Rao, Assistant Master, Government Middle School, Ajjampura, Tarikere Taluk, for certifying the length of qualifying service put in by him, I have the honour to state that he has put in a qualifying se vice of 4 years 9 months 20 days as reckoned by you and the deficienc to make up five years is 2 months and 10 days.

A general question whether in cases where deficiencies in service are condoned by Government the compassionate gratuity may be calculated on the total qualifying service rendered by such officers inclusive of the deficiency condoned, has been referred for the orders of Government which may kindly be awaited.

The file of papers is returned herewith.

I have the honour to be
Sir,
Your most obedient servant,

Sd. N. Krishna Rao,

Assistant Comptroller.

"Copy"

C.N. Krishna Rao
Supdt. Pensions
11/3

Letter No.A2-C.G.1772-23 of 41-42 dated 28-10-41 from the Director of Public Instruction in Mysore, Bangalore, to Comptroller to the Government of Mysore, Bangalore.

In forwarding herewith the compassionate gratuity records on behalf of the family of the late K.Krishnaji Rao, Assistant Master, Government Middle School, Ajjampura, Tarikere Taluk, who died on 14th December 1940 while in service, I have the honor to state that as the qualifying service of the deceased is only 4 years 9 months and 20 days, no compassionate gratuity is admissible under the rules as the minimum qualifying service put in by the deceased is less than five years. The Deputy Director of Public Instruction, Bangalore, has recommended that the deficiency of 2 months and 10 days to make up 5 complete years of qualifying service on behalf of the deceased might be caused to be condoned by Government.

In the circumstances, I request you to be so good as to certify that the qualifying service put in by the deceased is 4 years 9 months an 20 days to enable me to recommend to Government to condone under Article 272 of the Mysore Service Regulations the deficiency to make up 5 completed years of qualifying service on behalf of the deceased so that the family of the deceased may become eligible for the compassion ate gratuity.

" Copy "

C.N. Krishnarao
Supdt. Pensions
11/3

Appendix F G—1]

SUBJECT Pay of period of Service to be taken into account in the Calculation of Compassionate gratuity in the case of Officers coming under Articles 282 & 282 of R.

Section ~~G.F.~~ 54 A.

File No. 144-41

Serial No. 15

Diary No. of letter replied to.....

No. H 6480 / Enc 1 file (25/4)

To

The Comptroller to Govt

General and Revenue Secretariat

( )

the 193 .

Sir,

With reference to the correspondence ending with your letter No. 492/Per, dated 12-3-1942 on the above subject, I am directed to state that Govt ~~decide~~ consider that it is not necessary to lay down any general rules regarding the points raised by you, and that each case may be dealt with on individual merits. As regards the particular case about which the Dir of Pub. Instrn has made a reference as reported by him ~~in~~ to you, you may ~~verify the service~~ furnish the certificate of qualifying service and leave it to the D.P.I to make any recommendation to Govt that he may wish to.

I have etc

The records rec'd with your letter are returned herewith.

Dy Secy 25/4/42

Dy Secretary to Govt

Date of issue 27. 4. 42

Signed by Mr. C.G.R.

List of enclosures.....

Copied by .....

Examined by.....

WD 03601—GPB—30,000—25-9-39